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UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 14 2000
at 1 o'clock and 40 min. P.M.
WALTER A. Y. H. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)
)
Plaintiff,)

vs.)

OSCAR TEJEDA-MONTOYA (01))
a/k/a "Oscar Rodriguez-)
Garcia")
a/k/a "Enrique Ambrosio-)
Hernandez")
AMBROSIO LOPEZ-ANDRADE (02))
a/k/a "Samuel Rangel")
a/k/a "Jorge")
MICHAEL JOHNSON (03))

Defendants.)
)
)

CR. NO.

CRO 0 00376 SOM

INDICTMENT

[21 U.S.C. §846]

INDICTMENT

COUNT 1

The Grand Jury charges:

On or about between July 1, 2000 and September 1, 2000,
in the District of Hawaii and elsewhere, OSCAR TEJEDA-MONTOYA,

a/k/a "Oscar Rodriguez-Garcia", a/k/a "Enrique Ambrosio-Hernandez", AMBROSIO LOPEZ-ANDRADE, a/k/a "Samuel Rangel", a/k/a "Jorge" and MICHAEL JOHNSON, the defendants, did willfully and unlawfully conspire together and with other persons known and unknown to the Grand Jury, to distribute and to possess with intent to distribute 100 grams or more of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

OVERT ACTS

In furtherance of the aforesaid conspiracy, and in order to accomplish the illegal objectives thereof, overt acts were committed in the District of Hawaii and elsewhere by members of the conspiracy, including, but not limited to, the following acts:

1. In approximately July or early August, 2000, OSCAR TEJEDA-MONTOYA, a/k/a "Oscar Rodriguez-Garcia, a/k/a "Enrique Ambrosio-Hernandez", (TEJEDA-MONTOYA), AMBROSIO LOPEZ-ANDRADE, a/k/a "Samuel Rangel", a/k/a "Jorge" (LOPEZ-ANDRADE) and MICHAEL JOHNSON, (JOHNSON) traveled from Phoenix, Arizona to the Big Island of Hawaii for the purpose of distributing heroin to local heroin users.

2. On or about August 20, 2000, TEJEDA-MONTOYA gave JOHNSON \$1,000 in U.S. Currency and instructed him to purchase an airline ticket to Phoenix, Arizona in order to pick up heroin and cocaine for transport back to Hawaii.

3. On or about August 20, 2000, JOHNSON, as instructed, purchased a United Airlines ticket from Kona, Hawaii to Phoenix, Arizona and departed that evening for Phoenix.

4. On or about August 21, 2000, JOHNSON traveled to Phoenix. JOHNSON was picked up at the Phoenix airport by a Mexican male known to him as "Reuben".

5. On or about August 21, 2000, "Reuben" supplied JOHNSON with approximately 7 ounces of black tar heroin and an unknown quantity of cocaine for transport by JOHNSON back to Hawaii.

6. On or about August 21, 2000, JOHNSON traveled back to the Kona, Hawaii and arrived at the Kona International Airport in possession of the 7 ounces of black tar heroin and an unknown amount of cocaine which had been supplied to him by "Reuben".

6. On or about August 22, 2000, TEJEDA-MONTOYA and LOPEZ-ANDRADE directed JOHNSON to drive them to three separate locations in the Waikoloa area of the Big Island where TEJEDA-MONTOYA and LOPEZ-ANDRADE hid amounts of heroin in nearby lava fields.

7. On or about September 1, 2000, TEJEDA-MONTOYA, LOPEZ-ANDRADE and JOHNSON possessed with intent to distribute approximately 31 grams of black tar heroin in their residence located at Apartment 2401, Elima Lani Apartments located on Lua Kula Road, Waikoloa, Hawaii.

All in violation of Title 21, United States Code, Section 846.

COUNT 2

The Grand Jury further charges:

On or about September 1, 2000, in the District of Hawaii, OSCAR TEJEDA-MONTOYA, a/k/a "Oscar Rodriguez-Garcia", a/k/a "Enrique Ambrosio-Hernandez", AMBROSIO LOPEZ-ANDRADE, a/k/a "Samuel Rangel", a/k/a "Jorge" and MICHAEL JOHNSON, did knowingly and intentionally possess with intent to distribute heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 3

The Grand Jury further charges:

On or about September 1, 2000, in the District of Hawaii, the defendant, OSCAR TEJEDA-MONTOYA, a/k/a "Oscar Rodriguez-Garcia", a/k/a "Enrique Ambrosio-Hernandez", an alien who had previously been deported, knowingly and unlawfully was found in the United States at Waikoloa, Hawaii, in the District of Hawaii, said defendant having not obtained the consent of the Attorney General of the United States for reapplication by the defendant for admission into the United States.

All in violation of Title 8, United States Code,
Section 1326.

COUNT 4

The Grand Jury further charges:


On or about September 1, 2000, in the District of Hawaii, the defendant, AMBROSIO LOPEZ-ANDRADE, a/k/a "Samuel Rangel", a/k/a "Jorge", an alien who had previously been deported, knowingly and unlawfully was found in the United States at Waikoloa, Hawaii, in the District of Hawaii, said defendant having not obtained the consent of the Attorney General of the United States for reapplication by the defendant for admission into the United States.

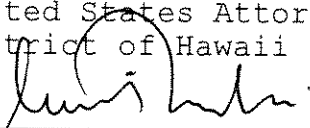
All in violation of Title 8, United States Code,
Section 1326.


DATED: September ¹⁴~~13~~, 2000, at Honolulu, Hawaii.

A TRUE BILL

¹⁵¹
FOREPERSON, GRAND JURY


STEVEN S. ALM
United States Attorney
District of Hawaii


ELLIOT ENOKI
First Assistant U.S. Attorney


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